

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
CITY OF CLEVELAND,)	<u>MOTION FOR A STAY OF</u>
)	<u>JANUARY 24, 2018 STATUS</u>
)	<u>CONFERENCE IN LIGHT OF</u>
Defendant.)	<u>LAPSE OF APPROPRIATIONS</u>
)	
)	

MOTION FOR A STAY OF JANUARY 24, 2018 STATUS CONFERENCE
IN LIGHT OF LAPSE OF APPROPRIATIONS

The Civil Rights Division of the United States Department of Justice hereby moves for a stay of the January 24, 2018 status conference in the above-captioned case for the following reasons:

1. At midnight on January 19, 2018, the continuing resolution that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for most Executive agencies, including the Civil Rights Division. The Department does not know when funding will be restored by Congress.
2. Absent an appropriation or continuing resolution, Civil Rights Division attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Civil Rights Division therefore requests a stay of the January 24, 2018 status conference until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department or enacted another continuing resolution. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that the City of Cleveland has no objection to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the January 24, 2018 status conference in this case.

CONCLUSION

For the foregoing reasons, the United States respectfully requests that the Court enter an order granting its motion to stay the January 24, 2018 status conference.

Respectfully submitted,

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/s/ Rashida Ogletree
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CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2018, I served the foregoing document entitled
MOTION FOR A STAY OF JANUARY 24, 2018 STATUS CONFERENCE IN LIGHT OF
LAPSE OF APPROPRIATIONS via the Court's ECF system to all counsel of record.

/s/Rashida Ogletree

Rashida Ogletree